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Report by – ANGELA BALLARD – 2009 Churchill Fellow

**To study:**

**‘Sexual Assault Prevention and Intervention in a Military Environment’**

*“Our lives begin to end the day we become silent about the things that matter.”*

*Dr Martin Luther King Jr*

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Signed.....

Date .....

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## **About the Author**

I have served in uniform as both a member of the Permanent Naval Force and Active Naval Reserve since 1981. Since 1996 I have worked in the Command Element at HMAS CERBERUS, which is the Navy's largest training establishment. In 2002 I was tasked with the responsibility of education, training, management and reporting of Unacceptable Behaviour and Sexual Offences, at CERBERUS. I held the position for six years and it was during this period as the Command Equity Adviser, that I co-established the Sexual Offence Support Persons (SOSP) Network with the founder Commander Fiona Sneath. I went on to work on a reserve project for 'Better Care of CERBERUS personnel', and was the subject matter adviser to the rewrite of the ADF's policy on '*Sexual Offence Management and Reporting*'. My latest role has been working on a cultural change project for New Generation Navy.

## **Acknowledgements**

I feel privileged to hold the trust of those members of the Australian Defence Force who have shared their Trauma with me over the years. Sharing in their experiences and observing their courage has inspired me to seek international 'best or promising practices' in the area of both prevention and intervention of Sexual Assault in a Military environment. It is my aim to influence change across the Australian Defence organisation, so steps can be taken to prevent and better manage these issues.

I am grateful and overwhelmed by the cooperation and support provided to me by the highly dedicated professionals of the Canadian, American and British Forces and equally their Defence civilian and contractor 'Subject Matter Experts'. In particular I would like to thank my mentor Claudia Bayliff (National Judicial Education Program) and my hosts in Canada, USA and UK for opening the doors to so many candid conversations and giving me access to details of their remarkable work.

I would like to thank the Winston Churchill Memorial Trust and panel members for giving me the opportunity to 'discover' the contemporary ways in which the ugly issue of sexual assault is being dealt with in the military in a number of western nations. I also thank my husband and three children who have graciously shared my fellowship; without their patience, understanding and support, I would not have been able to undertake this venture. I also appreciate the support and guidance provided by Captain David Garnock RANR.

And to all who work in the military and civilian Sexual Assault and Domestic Violence fields, with either victim or offender, keep up the good work.

## **EXECUTIVE SUMMARY**

Angela Ballard

22 Bridge Street, Balnarring Beach, VIC 3926

Mob: 041-711-4918

Email: [angebballard@bigpond.com](mailto:angebballard@bigpond.com)

### **The Winston Churchill Memorial Trust Fellowship to study ‘Sexual Assault Prevention and Intervention in a Military Environment’ in Canada, USA and UK.**

During my journey to discover how Military Forces tackle the complex issue of Sexual Assault Prevention and Intervention, I spent time with colleagues and leading experts throughout Canada, the USA and the UK which has validated my work with the RAN and the ADF. From the time I arrived in these countries, I was conscious of their involvement in multiple wars and that particularly in the US, combating domestic and sexual violence is second in priority only to those war efforts. The highlight of my Churchill Journey was the generosity of time I was afforded and the candid conversations I participated in, which has been of mutual benefit. Amongst other things, I was reassured to find that other military organisations, like the ADF, are grappling with identifying the issues, however, I observed that in some cases they are outperforming the ADF in introducing a number of common prevention and intervention measures.

I found that transparency and accountability are critical in managing and responding to sexual assaults in a military environment, and balancing the needs and wishes of the victim and that of the organisation is complex. Multi-agency support, advocacy and response to sexual assault, which is something that has been successfully in place at HMAS CERBERUS since 2002, appears to be at a ‘best practice’ level. Barriers to reporting pose a particular challenge for military organisations and sexual assaults that go unreported potentially impact on mission readiness and capability. Having an option that facilitates access to support services without police or command involvement provides an opportunity to mitigate some of that risk by ensuring service personnel have access to and are actively encouraged to tend to their medical and welfare needs. Military Policing agencies in Canada, the UK and the Naval Criminal Investigative Service (NCIS) in the USA all advocate the victim centric response and collaboration between all first responders. Leading experts and advisors (Lisak & Katz, amongst others) to the US Military Forces have developed programs and resources as part of the strategic response to prevention. This places an emphasis on Socialisation, Peer Education, Bystander Intervention and Mentors in Violence Prevention. During my fellowship it was evident that alcohol plays a large part in non-stranger sexual assaults across the military environments around the world and alcohol is the weapon and drug of choice by perpetrators in these situations. Noting this, risk reduction education for sexual assault must work in partnership with Alcohol and Drug educators. My journey has prompted discussions about the way business is conducted in responding in a coalition environment and in the best interests of ADF personnel this should be explored more. There are five recommendations which have been provided to the ADF for consideration. I will also present this report and discuss my experiences with government and non-government sectors in education, advocacy and support.

## **PROGRAMME**

**26 Feb – 08 Mar 2010**

### **Canadian Forces Base Esquimalt, Victoria B.C**

Discussions included command and policing sexual assault response processes; Prevention, Support and Intervention by Military Family Resource Centre; and Defence Community Welfare and Mental Health services support for victims of sexual assault. Tour of Canadian Forces Base (CFB) Esquimalt: including outstations, Fleet school and accommodation.

**09 Mar 2010**

### **Pentagon, Arlington Virginia**

Discussions included the USAF Sexual Assault Prevention and Response (SAPR) strategic approach to implementing cultural change with Ms Charlene Bradley, Assistant Deputy Force Management & Integration, Mr Carl Buchanan, Program Manager Sexual Assault Prevention and Response, and Mr Jim Russell, Associate Chief Military Justice.

**10 Mar 2010**

### **National Judicial Education Program (NJEP), Falls Church Virginia**

Discussions with Ms Claudia Bayliff, Project Attorney (NJEP) and Ms Lynn Hecht Schafran, Senior Vice President and Director, Legal Momentum on the role of judges, lawyers and other legal professionals in stranger and non-stranger rapes.

**11 – 12 Mar 2010**

### **United States Marine Corps (USMC), Quantico, Virginia**

Discussions with Mr Ray Bruneau, USMC Colonel Retired, Section Head, Sexual Assault Prevention & Response Office on the Mentors in Violence Prevention (MVP) (Katz) and USMC structure for response. Tour of the USMC Museum.

**15 – 18 Mar 2010**

### **United States Marine Corps Camp Lejeune, Jacksonville, North Carolina**

Participated in the USMC Uniformed Victim Advocate Training.

**22 – 24 Mar 2010**

### **Defense Equal Opportunity Management Institute, Patricks Air Force Base, Florida**

Three days of interviews and roundtable discussions on socialisation, sexism, sexual harassment and sexual assault. Reviewed assessment instruments for climate surveys and developed an appreciation of the Deployable Sexual Assault Response Coordinators (D/SARC's) and Victim Advocates (VA) role in Theatre (Afghanistan and Iraq).

**26 Mar 2010**

**National Judicial Education Program (NJEP), New York**

Further discussions with Ms Lynn Hecht Schafran, Senior Vice President and Director, Legal Momentum on the research and development of resources to educate about stranger and non-stranger rapes.

**31 Mar 2010**

**National Judicial Education Program (NJEP), Falls Church, Virginia, USA**

Further discussion with Ms Claudia Bayliff, Project Attorney (NJEP) on leadership engagement, awareness and response, prevention, accountability and long term management of issues (institution, victim and workplace).

**01 Apr 2010**

**United States Naval Academy (USNA), Annapolis, Maryland**

Presentation by Captain Diana Cangelosi, USN, Sexual Assault Response Coordinator (SARC) and staff on the Sexual Harassment and Assault Prevention Education (SHAPE) program at the Academy. Tour of the US Naval Academy.

**8 – 12 Apr 2010**

**United States Navy (USN) – Naval Station Norfolk, Hampton Roads, Virginia**

Presentation by Mr Alex Ottaviani, Site Manager, Fleet and Family Support Centers, Mid Atlantic; Meetings & discussions with first responders including: Naval Criminal Investigative Service (NCIS); Legal; Regional Counselling and Advocacy Coordinator; Emergency Room Sexual Assault Coordinator Naval Medical Centre, Portsmouth included site visit. Roundtable discussions with Victim Advocates. Tour of Old Dominion University (ODU) Women's Center (a Reserve Officers Training Centre – ROTC – resource) and the Hampton Roads installations. Discussions with SARC Co-ordinator Tanya Rogers of USN SAPR structure, resources & multiagency response management groups (Navy and Community). Discussions with Captain Chuck Hollingsworth, USN, Deputy Commander Center for Personal and Professional Development & staff on first responder training, fleet training and piloting of the Bystander Intervention model across fleet forces.

**13 – 14 Apr 10**

**USN – Little Creek / Fort Story, Hampton Roads, Virginia**

Observed USN Victim Advocate training.

**15 – 21 Apr 2010**

Stranded in Washington, DC due to closure of airspace over the UK, as a result of ash from the Volcano in Iceland.

**22 – 23 Apr 2010**

**HQ Provost Marshall – Royal Navy, HMS Excellent, Portsmouth, Hampshire, UK**

Appointments and discussions with Provost Marshall Navy & staff on multiagency engagement, RN Policy and the introduction of the Armed Forces Act 2006.

**23 Apr 2010**

**Cosham, Hampshire, UK**

Site visit ‘The Treetops Centre’ (Sexual Assault Referral Centre)

**Portsmouth, Hampshire UK**

Site visit ‘The Crystal Unit’, Hampshire Police

**25 April 2010 – ANZAC DAY Services – London**

Participated in Dawn Service, ANZAC Day march to the cenotaph and church services at Westminster Abbey.

**26 Apr 2010**

**Royal Air Force (RAF) Henlow, Central Bedfordshire, UK**

Discussion with Provost Marshall – RAF & staff on RAF (Investigation & Legislation) Policy; Briefings by the Equal Opportunity Investigation Team; Officer Commanding Personnel Management Squadron and discussions with the Senior Social Worker, Soldiers, Sailors and Airmen’s Families Association (SSAFA).

**27 Apr 2010**

**Royal Air Force (RAF) Halton, Aylesbury, Buckinghamshire UK**

Meeting with the Officer In Charge & Crime Manager, A Flight RAF, Special Investigation Branch (SIB) discussed response & jurisdiction, Multi-agency Public Protection Arrangements (MAPPA), social challenges, Association of Chief Police Officers (ACPO) & the Home Office Victim Centric Program.

**Air Command – Royal Air Force, High Wycombe, Buckinghamshire UK**

Discussion on Chaplaincy and an overview of Equality & Diversity (E&D) Policy and Air Personnel Casework.

**28 Apr 2010**

**HMS Nelson – Portsmouth, Hampshire, UK**

RN Chaplaincy aspects.

**29 Apr 10**

**Fleet Headquarters – HMS Excellent – Portsmouth, Hampshire, UK**

Discussions with E&D Policy Officer and Manager & Advisor Formal Complaints.

**29 Apr 10**

**HQ Provost Marshall – Royal Navy, HMS Excellent, Portsmouth, Hampshire, UK**

Discussions Lt Mitch Youngman, Staff Officer 3 Royal Navy Police Operations on the Violent & Sex Offender Register (ViSOR) & Multi Agency Public Protection Arrangements (MAPPA)

**30 Apr 2010**

**Service Police Crime Bureau – Southwick Park, Hant, UK**

Discussions with WO1 John Horne, Regimental Sergeant Major and Mr Andy Ranson, Public Protection Office Manager, Criminal Justice and Public Protection Office on ViSOR Management.

**5 May 2010**

**Royal Navy (RN) Special Investigation Branch, HMS Nelson – Portsmouth, Hampshire, UK**

Discussions with LCDR Geoff Wilson, Officer in Charge, Special Investigation Branch (SIB), Master at Arms (MAA) George Freeman, Fleet Crime Scene Manager, RN Police and Regulating Petty Officer Claire Bell, Investigator/Forensic Support, RN Police (& Sexual Offence Investigator Trained) on Fleet Response.

**HMS Excellent – Portsmouth, Hampshire, UK**

Discussions with Captain Tim Martin, RN, Deputy Assistant Chief of Staff, Welfare and Support on the roles and functions of the Sensitive Case Advice & Reaction Team (SCART)

## **1. INTRODUCTION**

Sexual Assault is a global issue. It occurs in the Australian community at large and the Australian Defence Force (ADF), as part of that community, has similar criminal and social issues to contend with. When an 'incident' occurs to or by a Defence member, it does, however, have additional impacts. The individuals and their families, their workplaces and colleagues, the unit cohesion, operational readiness and the organisations reputation are all potentially affected.

From my own experience in the ADF and observations from overseas, military organisations are getting better at responding to and managing these issues however, unless societal change is pursued by governments, social issues such as sexual assault will continue to exist in a military environment. From an insider's perspective this is a complex issue and, as I have discovered throughout my journey, finding solutions are also a challenge for many other military organisations around the world. These issues are difficult to eliminate with the enlistment of new personnel each month who bring with them social behaviours that neither meet the standards of, nor are tolerated by, military commands. It is unfortunate that these people are often integrated into the organisation long (sometimes years) before their behaviour is reported and it becomes a management, discipline, reputation and/or criminal issue. Whilst this is costly for any Defence Department, more importantly it impacts on the very core of the strength of a military organisation. It impacts on the people, their morale, their team spirit and their motivation.

**1.1 Scope.** This project was limited to identifying areas of 'best or promising practice' of Sexual Assault Prevention and Intervention in the American, Canadian and British Military Forces. As these organisations and the ADF share similar cultures, their practices are thus likely to be relevant to those adopted by the ADF to resolve similar social issues. This report will recommend that the ADF should adopt the practices of other military organisations which appear to be more successful (in education and dealing with similar social issues) than those currently employed by the ADF. It should be noted that sexual assault, in domestic violence situations (where the assault occurred by a spouse, live-in partner or someone who shares a child), is dealt with under a separate program overseas and therefore this type of sexual assault has not been specifically looked at here.

The project officer's role will conclude upon the tabling of this report. The implementation of any recommendations including the analysis and design of training and development programs or any ongoing project support will remain at the discretion of the Chief of Defence Force (CDF), Service Chiefs and the Inspector General Australian Defence Force (IGADF).

## **2. AIM**

The aim of this report is to identify 'best or promising practices' in 'Sexual Assault Prevention and Intervention in a Military Environment' brought together from research into the experiences of the American, Canadian and British Forces.

## **3. DEFINITIONS**

For the purpose of this report the term:

- a. **sexual assault** will include: sexual assault (rape, attempted rape, sodomy anal or oral); indecent assault; acts of indecency; indecent behaviour; and other sexual misconduct which results in a victim of the offence. It reflects common language used across Canada, America, Britain and in Australia. It is not the legal definition in Australia and does not include Sexual Harassment;
- b. **'best practice'** is the efficient or effective process or practice that through experience or research has a proven record of success; and
- c. **'promising practice'** is a process or practice which helps to maintain the focus of the task.

## **4. BACKGROUND**

The Canadian, British, American and Australian Defence Forces (ADF) have all had their 'fair' share of scandals involving allegations of sexual assault and sexual misconduct over the years and a variety of policies, programs and practices have been implemented as a consequence.

For the ADF, the investigation into the HMAS SWAN incident in 1992 saw the Royal Australian Navy (RAN) lead the cultural change across the ADF with the implementation in 1993, of the Good Working Relationship<sup>1</sup> (GWR) program.

In 1996 two separate studies: Dr Clare Burton's – 'Women in the ADF'<sup>2</sup> and Major Kath Quinn's 'Sexual Harassment in the ADF'<sup>3</sup> were conducted. As a direct result of Burton's (1996) report the Defence Equity Organisation<sup>4</sup> was established.

In 1997 the Australian Defence Force Academy (ADFA) came under the spotlight with allegations of sexual harassment, sexual assault and sexual misconduct. The subsequent report (commonly known as 'The Grey Report - 1998')<sup>5</sup> led to significant changes to the policy and programs utilised by the ADF in dealing with Unacceptable Behaviour and Sexual Offences.

In 2002, Commander Fiona Sneath<sup>6</sup>, RAN (the founder) and I, co-established the Sexual Offence Support Persons (SOSP) network at HMAS CERBERUS, the Navy's largest training establishment. Since the introduction of the SOSP network at CERBERUS, other Defence establishments have introduced response programs based on that model. Whilst the program largely focuses on response and support, it does play a role in awareness training for new recruits. This awareness training is complimentary to the ADF's mandatory annual awareness training on Equity & Diversity (which includes briefings on Unacceptable Behaviour and Sexual Offences). Additionally, many workplaces (at CERBERUS) have rudimentary education programs based on needs at the time. The work at CERBERUS has ensured a responsible

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<sup>1</sup> Triulzi Collins Solutions

<sup>2</sup> Burton, C., *Women in the Australian Defence Force: two studies*. Canberra, Department of Defence, 1996.

<sup>3</sup> Quinn, K., *Sexual Harassment in the Australian Defence Force*, Canberra Department of Defence, 1996

<sup>4</sup> Renamed Fairness & Resolution Branch after a restructure in 2005 of the areas that deal with policy, complaints, grievances, Equity & Diversity and dispute resolution.

<sup>5</sup> Grey, B.D., et al 1998 - Report of the review into policies and practices to deal with sexual harassment and sexual offences at the Australian Defence Force Academy

<sup>6</sup> Commander Fiona Sneath is a Legal Officer with the Royal Australian Navy

reporting culture and provides a quality level of support which has been endorsed by local civilian rape crisis centres and policing agencies.

The ADF's Fairness and Resolution Branch (FRB) is, amongst other things, the technical authority responsible for assessing and revising policy on Unacceptable Behaviour and Sexual Offence Management and Reporting to ensure contemporary practices are implemented and that the ADF complies with current legislation.

## **5. CURRENT SITUATION**

**5.1 Prevention Practices.** The Australian Department of Defence is required by legislation to provide mandatory annual awareness training on unacceptable behaviour, to all of Defence's workforce. This includes briefings on; what is acceptable and unacceptable behaviour (Harassment, Discrimination, Bullying, Sexual Harassment, Abuse of Power and Sexual Offences), how to make a complaint and options for resolving a complaint. This training is conducted by trained Equity Advisers and clearly articulates that sexual offences are criminal behaviour and therefore must be reported immediately to the ADF Investigative Service (ADFIS).

**5.2 Response Practices.** In accordance with Defence policy, all 'notifiable incidents' are to be reported to the ADFIS who will determine jurisdiction, conduct any investigation on behalf of the ADF or liaise with relevant civilian policing agencies.

*A Notifiable Incident is an incident if it raises a reasonable suspicion that an offence may have been committed against the Defence Force Discipline Act (DFDA), the criminal law of the Commonwealth, States or Territories or the criminal law of another country and involves a Defence member, Defence civilian, Defence contractor, Defence consultant, other ADO personnel or ADO premises.<sup>7</sup>*

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<sup>7</sup> Defence Instruction (General) Administration 45-2 *Reporting and Investigation of Alleged Offences within the Australian Defence Organisation* para. 7

*Notifiable Incidents include; all alleged offences against the person involving Defence members, Defence civilians or on ADO premises including all assaults **and sexual offences.***<sup>8</sup>

Commanding Officer's (CO's) have responsibility for providing victim and respondent care (if serving members) including appropriate medical support, divisional<sup>9</sup> support and legal access and this is usually brought about by the appointing of a case manager. Some CO's will perform this function personally. At CERBERUS, this function is provided by a first responder known as the Sexual Offence Support Person (SOSP).

**5.3 The Sexual Offence Support Persons (SOSP) Network.** The principle of the SOSP network is that a small pool of personnel, readily identifiable as part of the command element in any ship, military establishment or other military formation, who responds to complaints of a sexual offence and provides the complainant (victim) with the options available to them and facilitates access to any crisis counselling, support, policing, medical and legal services as required by the individual. The SOSP also manages the situation on behalf of the Command, by ensuring all governance<sup>10</sup> requirements are met. The most important aspect of the SOSP network is ensuring the welfare and any medical needs of the complainant (victim) are seen to and that a counselling session is provided. The preference here is to refer them to the local rape crisis centre which is the lead agency in victim care, although they (the victim) does have the option to seek counselling through Defence support services which includes; psychologists, doctors, social workers and chaplains.

The RAN also provides education during the initial recruit training period on 'What constitutes a Sexual Offence', the ADF's role in dealing with sexual offences, the Sexual Offence Support Persons (SOSP) Network at CERBERUS and what other support services are available. It includes risk reduction measures personnel can adopt and the distribution of wallet size cards to

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<sup>8</sup> Defence Instruction (General) Administration 45-2 *Reporting and Investigation of Alleged Offences within the Australian Defence Organisation* para. 8b.

<sup>9</sup> The Divisional System is an integral part of command which provides support, access to information, provides advice and assistance if required.

<sup>10</sup> Includes reports to Policing agencies, Fairness and Resolution Branch and through Service Chain of Command.

ensure personnel know ‘What to do’ if they have been sexually assaulted’. A representative from the Victoria Police Sexual Offence and Child Abuse Unit (SOCAU) Frankston, also participates in the training session each month.

**5.4 Other initiatives.** Whilst not targeted specifically at Sexual Assault prevention, other initiatives include programs which are further contributing to the foundation of long-term behavioural change. Amongst others, these include:

- a. the Royal Australian Navy’s (RAN’s) cultural change through the New Generation Navy (NGN) program. This involves the linking of signature behaviours to the values (Honour, Honesty, Courage, Integrity and Loyalty) of the organisation; and
- b. as part of the CDF’s action plan for women, the ADF has embarked on a pilot education program for middle and senior managers to embrace a gender-balanced workforce and looks to increase the participation of women in leadership roles.

## **6. THE ROAD TO CHURCHILL**

For me the fellowship journey began in 2007 when I attended the Victorian Association of Restorative Justice (VARJ) ‘roundtable’ discussion on ‘Sex Offending and Family Violence: a restorative approach’. Representatives from the community and government agencies involved in response, legal services, counselling, policy development, victim advocacy and sex offender management and other support agencies attended. It was here that Carolyn Worth, Coordinator, South Eastern Centre Against Sexual Assault (SECASA), commented on the positive value that the CERBERUS SOSP Network, has had. Haley Clark, Senior Researcher at the Australian Centre for the Study of Sexual Assault (ACSSA) who was at the forum, wanted to find out more about the SOSP program and generally how the ADF responded to these types of incidents. ACSSA was impressed with the ADF programs, policies and resources and I was encouraged to submit the HMAS CERBERUS SOSP network as a ‘promising practice’ for the ACSSA National database.

Before submitting the SOSP network as a ‘promising practice’ I wanted to re-examine and improve the CERBERUS model. With CERBERUS arguably having the most mature response

network across the ADF, I needed to look at other military organisations from similar cultures, to see how they managed prevention and intervention. I was familiar with the attention that the US Congress and the US Military Leadership was giving this very issue and I felt that it was important to understand how they (the US) and other military organisations, whom are culturally similar to the ADF (particularly those who work in the multinational environment), deal with sexual assault.

## **7. UNDERSTANDING CULTURE**

**7.1 Culture.** Culture can be expressed superficially by logos and symbols or deeply defined by the values, beliefs and customs of a community or organisation. Irrespective of the degree to which accepted norms appear to permeate a society's culture, it is the ability of individuals or groups of people who hold views on sex and gender roles, which permits the criminal act of sexual assault to continue to exist in societies throughout the world.

**7.2 Military Culture.** Most would recognise military culture by the heroic acts or the rituals of the institution. The military is traditionally seen as a hyper-masculine environment where warriors are nurtured. Service personnel are often perceived as the stronger members of their societies and it is acknowledged that they are charged with protecting their communities and defending their Nations. It is also widely accepted that communities expect more of them than it (the community) does of itself.

Military personnel through their training and living arrangements develop a unique bond that prepares them for operations, where the individual knows that the mission and their survival relies heavily on their teamwork and trust in one another. The large majority of military personnel consciously (or unconsciously) are prepared to make sacrifices to meet the mission of the organisation, including (in extremis) laying down their lives. Understanding this puts perspective on why someone in the military is reluctant or doesn't, report they had been sexually assaulted. This is particularly an issue if the assault is by another serving member, when the victim perceives the adverse impact that reporting may have on, not only themselves, but the group, the service or the mission.

**7.3 Cultural Readiness.** Firestone & Harris<sup>11</sup> (2004 survey results) suggest,

*‘a sexist environment is one that facilitates both environmental and individualised sexually harassing behaviours and in such “climates” assault is more likely to occur. Active policy efforts to reduce sexist and harassing behaviours can make a major difference in the likelihood of such events. This analysis suggests that a focus on environmental harassment might be very effective because [of] such “public” visible action is identifiable and subject to policy intervention’.*

This ‘type’ of cultural readiness is primarily the approach taken to date by Canadian, American, British and Australian Forces. Throughout my fellowship I was exposed to other ‘practices’ which the American Forces are now implementing. These ‘practices’ are collaboratively expected to have a greater influence on cultural change.

McGuire (2010)<sup>12</sup> suggests a culture of sexism (and racism) is influenced by what happens in the home, across the media, in schools, by peers, families, the church and communities. The way gender and relationships are talked about and managed in these environments either sanctions or condones sexism (and racism) and therefore locks those attitudes into one’s internal belief system. He suggests education must be continual, progressive and sequential to develop cultural readiness. It includes teaching about socialisation (intrapersonal and welfare development), victimology, sexism, sexual harassment and sexual behaviours. Understanding what one’s biases are (to be self aware), lets individuals understand their behaviour and allows for better situational judgement. This is not only applicable for a potential victim or perpetrator, but for all first responders as well.

In view of the abovementioned overt/covert, external/internal, symbolic/deeply defined, ritualistic/altruistic and educational/instinctive influences on culture, it is clear that organisations wishing to change or improve cultural attitudes towards sex and gender roles need to adopt

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<sup>11</sup> Firestone, J. & Harris, R. Sexism, Sexual harassment and Sexual Assault: Toward Conceptual Clarity’. *Paper presented at the annual meeting of the American Sociological Association Annual Meeting, Boston ‘ 31 Jul 2008*

<sup>12</sup> McGuire, W.G. Dr. Director Research, Simulations and Learning, Defense Equal Opportunity Management Institute

holistic and broad-based education programs. It is also clear that without the assistance of broader government led national strategy, the ability of smaller communities and organisations to succeed in their endeavours will be limited. It is pleasing to note, this need has been recognised by the Australian Federal Government (Office for Women) and the National Association of Services against Sexual Violence (NASASV) the ‘peak’ body in Australia, through the commissioning of research<sup>13</sup> into the development of a National Sexual Assault Prevention Education Framework.

## **8. FELLOWSHIP FINDINGS**

There is an enormous amount of work going on in Australia and around the world in Sexual Assault prevention, risk reduction and intervention (response and support) and this includes military organisations who are working in partnership with multi-agency advocacy, support and education providers. An indicative list of some of the ‘best and promising’ practices I observed in ‘Sexual Assault Prevention and Intervention in a Military Environment’ is contained in Annex C.

The Canadian Forces National Investigative Service (CFNIS) and the British Forces Policing agencies are involved in ‘promising’ intervention practices and whilst in Canada and Britain, I also met with providers of support and mental health services. These agencies administering case management and recovery programs for victims of domestic and sexual violence, endorse the role of multi-agencies when managing these issues.

The United States (US) Department of Defense (DoD) and US Military Forces have a hard-hitting campaign to tackle the issues surrounding Sexual Assault Prevention and Response (SAPR) and many of my findings relate to the outstanding work that is going on by many remarkable individuals there.

**8.1 Multi-agency Involvement.** Sexual Assault is not solely a woman’s issue, nor is it only a military issue. Sexual Assault is a non-gender specific global social issue and a broad multi-

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<sup>13</sup> © Carmody, M., E.vans, S., Krogh, C., Flood, M., Heenan, M., & Ovenden, G. (2009). *Framing Best Practice: National Standards for the primary prevention of sexual assault through education*. University of Western Sydney, Australia, ISBN 978-1-74108-197-8

agency response is vital in order to combat this problem. Strategically Canadian, American and British Forces are endorsing the community empowerment model of multi-agency support, advocacy and response. A variation of management models exists in each country (and/or each service) with the fundamental aim to engage all first responders in the response and in the subsequent case management of incidents. Agencies may include (depending on country): service policing agencies and investigators; local law enforcement; mental and general health professionals; legal; chaplaincy; Sexual Assault Response Coordinators (SARC) or Command Personnel Officer, and the relevant victim advocate (per case) or a Sexual Offence Investigator Trained (SOIT) police officer.

A collaborative approach to response, advocacy and support has the benefits of ensuring the welfare of victims and respondents is addressed. In the military this also permits transparency of management for these incidents with careful guidance by a number of qualified specialists who remain 'current' with legislation and contemporary practices in this area.

In the UK, the community empowerment model is also used in the management of sex offenders and the Service Police Crime Bureau plays a significant role in this.

**8.2 Leadership.** The American Department of Defense (DoD) Sexual Assault Prevention and Response Office (SAPRO) was established in 2005, as a result of the Defense Task Force into Sexual Assault in the Military (DTFSAM). It initially focused on policy development, awareness and response (victim advocacy). The success of this initial phase has seen that transitionally efforts are now focusing on prevention (cultural change), accountability and long term management.

In the US, I found the leadership 'buy-in' as a key influencer to the success of the SAPR program. In 2007 the US Air Force (USAF) led the services with a 'Sexual Assault Prevention and Risk Reduction Symposium'. In 2010 the Department of Navy (DoN) and US Army have held Sexual Assault Response Coordinator (SARC) summits which have included decision makers, first responders and SARC's as key attendees. The intention was to ensure the widest dissemination of understanding the issues, professionally develop all who have a leadership role in prevention and response and engage key players in sharing responsibility of dealing with the

complex issue of Sexual Assault Prevention and Response. The important message that is reaching leadership is that each of the reported incidents in the statistics represents, at least one of their highly trained, experienced and not easily replaced people. I met with senior leaders who through these summits have a greater understanding of the issues as they currently apply in both the broader community and the military environment. These leaders have now become advocates for the work of the SAPR program.

**8.3 Research.** Much research has been conducted in the US into sexual assault on college (university) campuses and within the military over the past two decades. In 2009, the Office of the Secretary of Defense sponsored the RAND National Defense Research Institute to produce a compendium<sup>14</sup> of that research which is '*intended as a consolidation of available research to facilitate further investigation*'<sup>15</sup>. In view of the expected similarities between the data collected in that research and the incidence of sexual assaults in Australian Universities and the ADF, this document should be of interest to Australian policy makers and others who wish to benefit from the value of academic research in this area<sup>16</sup>.

Sexual Assault remains one of the most underreported of all personal crimes<sup>17</sup>. According to the Australian Bureau of Statistics<sup>18</sup>, during 2009, 84% of sexual assaults were reported by females. One in four sexual assault victims were 10 – 14 years of age and that age group had a four times higher rate of sexual assault than all age groups (338 victims per 100,000 for 10-14 years olds compared to 86 victims per 100,000 people in other age groups)<sup>19</sup>. It is likely that some of these could potentially be recruited into the ADF.

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<sup>14</sup> Harrell, MC. Castaneda, LW. With Adelson, M. Gaillot, S. Lynch, C. Pomeroy, A. '*A Compendium of Sexual Assault Research*' RAND National Defense Research Institute 2009

<sup>15</sup> Ibid

<sup>16</sup> Ibid

<sup>17</sup> <http://www.aifs.gov.au/acssa/statistics.html>

<sup>18</sup> Australian Bureau of Statistics 03 Jun 2010 – Crime Statistics

<sup>19</sup> Ibid

Studies of military recruits in the US, (Merrill et al. 1999<sup>20</sup> and 1998<sup>21</sup>, Smikle, 1996)<sup>22</sup> conclude that female recruits have a high rate (up to 35%) of prior victimisation (rape, attempted rape or victim of childhood physical or sexual abuse). Although this is consistent with my own experience in supporting victims of sexual assault in the Royal Australian Navy over a period of eight years (2002 – 2009), formal research amongst recruits in the ADF could be beneficial as victims of prior sexual assault are vulnerable to revictimisation.

It is estimated 85% of rapes are non-stranger (also known as ‘acquaintance’ or ‘date’) rape and these are less likely to be reported than stranger rape. According to Lisak, (2009)<sup>23</sup>, this is because a victim perceives they will receive more support from authorities, family and/or friends in stranger rapes. He goes on to suggest there is less judgement on the individual and it is more believable as ‘everyone’ sees a rapist as a stranger. If Lisak’s findings are equally relevant to reporting trends in the ADF, there is clearly a need for ADF personnel to be encouraged to report non-stranger rape.

**8.4 Reporting.** The Canadian and British Forces reporting processes and obligations are similar to that of the ADF. When a disclosure of a criminal or suspected criminal offence is made, a serviceperson is required to report the incident to the relevant services investigating authority.

The US Military has acknowledged that sexual assault is one of the most underreported crimes in America. They are conscious of the additional barriers to reporting in a military culture and have implemented a ‘Restricted and Unrestricted’ option for reporting. The essence of this is to provide victim care for those who have been sexually assaulted regardless of any law

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<sup>20</sup> Merrill, L. Et al., *Childhood Abuse and Sexual Victimization in a Female Navy Recruit Sample*, Journal of Traumatic Stress, Vol.12, No.2 211-225, July 1999.

<sup>21</sup> Merrill, L. Et al. *Prevalence of Pre-military Adult Sexual Victimization and Aggression in a Navy Recruit sample*, Military Medicine, Vol.163, 209-212, April 1998.

<sup>22</sup> Smikle, C. Et al., *The impact of Sexual Abuse on Job Attrition in Military Recruits*, Military Medicine, Vol. 161, 146-148 March 1996.

<sup>23</sup> Lisak, D., Interview for USAF ‘*Targeting Sexual Assault – Air Force Campaign Plan for prevention and Response*’, DVD 2009

enforcement involvement or investigation or proof of any assault. These reporting options are outlined in more detail in the following paragraphs.

**8.5 Restricted Reporting.** Sexual Assault Response Coordinators (SARC) and Victim Advocates (VA) in the US military have been given privilege via policy, not law, to accept a ‘Restricted’ (confidential) report. This allows the victim to receive medical and counselling support. Whilst the SARC, the controlling body on behalf of the higher level command, monitors all aspects of the case management, including victim advocacy, the facilitation of support, medical and mental health services, in a ‘Restricted’ report can provide Command non-identifying information to meet any governance requirements. The benefit is that the Command can put into action any environmental risk reduction practices that may be required. ‘Restricted’ reporting does however have limitations in that if Command is unaware of the identity of the victim, any protective provisions for the victim cannot be implemented and no investigation can take place which prevents anyone being held accountable for the sexual assault. A challenge that will always remain with a ‘Restricted’ report is apportioning accountability for the ‘act’. Nevertheless this option for reporting is in line with a ‘victim centric’ program, empowering the victim to make choices again and which aids in the initial steps of recovery.

In the US, they have found that whilst some members choose to report under the ‘Restricted’ provision, there a number of these who convert to ‘Unrestricted’ after the initial phase of disclosure and after becoming confident with the VA/SARC and the SAPR program. For a victim the loss of trust can be as traumatic as a loss of choice, both of which are taken away when they have been sexually assaulted. There is value in Commands and Policing agencies being less visible to the victim via the ‘Restricted’ reporting option: whilst the SARC ensures priority victim care, there is a likelihood that as the victim becomes more empowered and confident in being supported, they will change to ‘Unrestricted’ reporting and the organisation can regain ‘control’ of the situation.

In Australia, counsellors, psychologists, medical staff and Chaplains invoking privacy/confidentiality privileges of their profession, permits ADF victims of sexual assault to access the medical and mental health support they require without reporting the incident to military or state policing agencies.

**8.6 Unrestricted reporting.** In the US, when a member discloses a report of sexual assault to anyone other than a counsellor, psychologist, medical staff, chaplain, SARC or VA, then the matter must be reported immediately to the member's chain of command. All reports made to leadership are required to be reported to law enforcement agencies and a VA will be appointed to ensure the victim's rights are respected. An unrestricted report allows information disclosure to the military police; however, the victim does not need to participate in the ensuing investigation.

If Command becomes aware of a sexual assault (via a mandatory reporter) they will initiate an independent inquiry via the Provost Marshall Office (PMO). If this occurs the victim has the right to choose to share as much or as little information with law enforcement agencies.

An exercise conducted during the United States Marine Corps (USMC) Uniformed Victim Advocate (UVA) training used a similar scenario to that below to highlight the spread of sensitive information resulting from an 'Unrestricted report' in a Military environment. This provides a greater level of understanding as to why some victims choose the 'Restricted' reporting option:

### ***Scenario***

*A young soldier reports to the duty sergeant that he was sexually assaulted disclosing where, when but not by who. The Duty sergeant informs the Duty Officer who calls the Duty Military Police (MP) – two attend. Two other duty watch members are required to 'stand watch' on the physical location where the incident occurred until the MP's arrive to secure the crime scene. The Duty Officer calls Service Police Investigators. Jurisdiction is determined to be with civilian policing agencies and the local law enforcement unit (2 uniformed) attend. Local law enforcement have called their sexual offence unit and two plain clothes police attend along with two detectives from the local criminal investigative unit. The Duty Officer has informed the XO, CO and the SARC. A victim advocate is appointed. The Duty Officer has called a chaplain and takes the victim to the medical centre. Three maybe four personnel at the medical centre are now aware. At this point (this may occur within an hour or two of disclosure), twenty-one people have been informed.*

In this scenario the victim may have to retell the story (or part thereof) 8-10 times and this is before the case is investigated or prosecuted in a court of law. This exercise vividly explains why victims find it so intimidating to disclose an assault, particularly in a military environment. For this reason, it is vitally important that the victim receives appropriate care and encouragement right from the beginning. The success (or otherwise) of this support will have a lasting impact on the victim.

*“People will forget what you said, people will forget what you did,  
but people will never forget how you made them feel”*

*- Maya Angelou*

**8.7 Alcohol.** According to Bellis et al (2008)<sup>24</sup> *‘the use of alcohol to engage in sexual encounters is not new however the use by both sexes can reduce consideration of contraception and STI (sexually transmitted infection) prevention and can raise issues later regarding whether consensual sex took place’*. They go on further to say *‘frequent alcohol use was associated with having sex that was later regretted’*.

In generations past, ‘regretted sex’ may also have been associated with ‘being taken advantage of whilst under the influence of alcohol’. Today the general principle of law is ‘consent must be given freely’. If someone is drunk or too incapacitated to give consent, then there is no consent.

During my fellowship it was evident that alcohol plays a large part in sexual assaults across military environments around the world. Drugs & alcohol lower sexual inhibitions and according to Lisak<sup>25</sup> alcohol is deemed the weapon and drug of choice in non-stranger rapes. He goes on further to say, in non-stranger rapes the rapist uses only the amount of violence that is absolutely necessary. When alcohol is used as the weapon, the victim is often incapacitated or unconscious and has little or no physical injuries.

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<sup>24</sup> Bellis MA, Hughes K, Calafat A, Juan M, Ramon A, Rodriguez JA, Mendes F, Schnitzer S, Philips-Howard P. *BMC Public Health* 2008, **8**:155 Sexual uses of alcohol and drugs and the associated health risks: A cross sectional study of young people in nine European cities

<sup>25</sup> Lisak, D., Interview for USAF ‘*Targeting Sexual Assault – Air Force Campaign Plan for prevention and Response*’, DVD

Abbey et al (2001)<sup>26</sup> states heavy alcohol consumption has been linked to sexual assault perpetration as it provides an excuse for socially unacceptable behaviour (including sexual assault). Abbey et al (1996b)<sup>27</sup> concludes date rapists (non-stranger) frequently report that they intentionally get women drunk to have sexual intercourse with them.

If we understand alcohol is not the cause of sexual assault, it must be acknowledged it does play a significant role in a large amount of reported sexual assaults and identifying meaningful ways to address this is required.

**8.8 Transformation of gender roles.** Across societies, females have taken on more male roles and characteristics since 1942; however there has been little education (socialisation) for their communities. With a large multi-cultural environment in Australia, a lot of work has gone into the integration of race and disAbility as a cultural norm with emphasis on the similarities they have rather than their differences. This cannot be said for gender diversity and many views and beliefs that are inconsistent with legislation still exist in many sub-cultures of our society.

These hyper-sexual views passed down through generations which are at the core values and belief of the individual will find a sub-cultural environment to thrive in. An example of this is in results of a survey of Australian university students by Charmaine et al (2003)<sup>28</sup> which states;

*'The gender stereotypes exhibited by the survey respondents assume a "blame the victim" mentality; male perpetrators are seen as being unable to control themselves when intoxicated, while female victims are expected to prevent sexual violence from occurring or to remain sober in order to minimize the risk of sexual assault (and consequently are to blame if they are sexually assaulted while intoxicated).'*

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<sup>26</sup> Abbey, A., et al., 'Alcohol and Sexual Assault' National Institute on Alcohol Abuse and Alcoholism (NIAAA) Alcohol Health and Research World Volume 25, Number 1, 2001

<sup>27</sup> Abbey, A., et al., *Alcohol, misperception, and sexual assault: How and why are they linked?* In: Buss, D.M., and Malamuth, N., eds. *Sex, Power, Conflict: Evolutionary and Feminist Perspectives*. New York: Oxford University Press, 1996b. pp. 138–161.

<sup>28</sup> Charmaine A. Cameron and Werner G.K. Stritzke, Alcohol and Acquaintance Rape in Australia: Testing the Presupposition Model of Attributions About Responsibility and Blame, 33 J. OF APPLIED SOCIAL PSYCHOL. 983 #5 (2003)

Although these views are in direct contradiction of the law, there is no comprehensive education program in Australian schools to remove gender stereotypes. It is thus not surprising that the ADF unwittingly recruits some people with attitudes towards gender, equity and diversity that do not meet with the ADF's expectations.

**8.9 Legal versus Moral Attitude.** The most common sexual assault is perpetrated by someone known to the victim. Whilst people close to both the victim and perpetrator generally acknowledge and deplore the associated betrayal of trust, they are less likely to recognise the incident as rape if the perpetrator is not charged. The benefit of assigning a victim advocate is that, when they respond to a sexual assault there is no emphasis on either the views of the associates of the victim or perpetrator or the technicality of the law. An advocate responds to the mental state and moral view of the incident taken by the victim. This moral view is what impacts on their choices for support, reporting and on their trauma experience.

**8.10 The Undetected Rapist.** The undetected rapist is the biggest challenge for military organisations. A rapist is defined as 'undetected' when the victim decides not to report the perpetrator. Recidivism for an undetected rapist is likely according to Lisak & Miller (2002)<sup>29</sup> and, for a military perpetrator, this may mean multiple military victims.

Lisak & Miller (2002)<sup>30</sup> studied 1882 US college students (age between 18-71) with a median age of 26.2. Questions were indirectly tabled in a survey about their sexual behaviour without directly asking them whether they had committed rape. The results of the survey showed 120 (6.3%) had committed a sexual assault. Of these, 44 men (2.3% of the total surveyed) had committed a single act of rape and 76 men (4%), had committed serial rapes. According to Lisak & Miller (2002)<sup>31</sup>, the 76 serial rapists committed 1,045 offenses including; 49 sexual assaults, 439 rapes & attempted rapes, 66 acts of physical abuse of children, 277 acts of sexual abuse of children and 214 acts of battery. Of these 30% indicated use of force, the remainder committed

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<sup>29</sup> Lisak, D, & Miller, P, 2002, *Repeat Rape and multiple offending among undetected rapists*, Violence and Victims, Vol.17, No. 1, 2002

<sup>30</sup> *ibid*

<sup>31</sup> *ibid*

these acts on intoxicated victims. McWhorter et al (2009)<sup>32</sup> studied 1,146 US Navy recruits in a Sexual Experience Questionnaire, 149 (13%) admitted perpetrating attempted or completed rapes. 40 (3.5%) of the recruits admitted to perpetrating a single incident of rape and attempted rape and 96 (8.4%) committed 822 rapes and attempted rapes. These studies highlight that many cases go unreported and are thus not included in national or military statistics. There may be some value in the ADF conducting Sexual Experience Questionnaires (SEQ's) for its new recruits if it is concerned that the US Navy experience is likely to be replicated here.

**8.11 Risk Reduction.** Risk reduction looks at environmental issues and teaches ways for those susceptible to becoming a victim to protect themselves and be wary of potentially compromising situations. According to Bayliff<sup>33</sup> risk reduction must be done carefully and remain focused primarily on stranger rapes. She states there are problems with risk reduction from a governance perspective as it put's ownership on potential victims which can be traumatic particularly for those who have been victimised before. Whilst a broad-based program to assist all military personnel to develop a culture of responsible choices (with an emphasis on an individual's responsibility to avoid risky situations) would clearly benefit the ADF, a special focus on those personnel from vulnerable groups (eg. young recruits) may also be required.

**8.12 Prevention.** According to Bayliff<sup>34</sup> traditional sexual assault 'prevention' efforts are based on flawed logic. She states that they are geared towards potential victims and not the perpetrator's behaviour. It assumes the potential victim should be able to control what happens and is therefore (partly) responsible for any failure to avoid the assault. This is also partly because traditional prevention programs have been geared towards victims of stranger rape that is, 'the assault that occurs in a dark alley or a park at night by an unknown assailant'. Noting that

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<sup>32</sup> McWhorter. S.K, Stander, VA. Merrill, LL. Thomsen, C. Milner, JS. *Rape Perpetration by newly enlisted male navy personnel*, Violence and Victims, Vol24, no.2. 2009

<sup>33</sup> Claudia Bayliff, Esq. to the Department of Navy SARC summit 22 March 2010

<sup>34</sup> Ibid

non-stranger rapes make up the majority of all rapes, Katz<sup>35</sup>, Berkowitz<sup>36</sup>, Lisak<sup>37</sup> and Bayliff<sup>38</sup> amongst others, argue the prevention training efforts need to target those potential perpetrators and bystanders who can prevent the crime.

The US Marine Corps have utilised Mentors in Violence Prevention (MVP) (Katz)<sup>39</sup>, since 1996. This program encourages young men and women from all socioeconomic and culturally diverse backgrounds to take on leadership roles in the prevention of (all forms of) violence. The training emphasis is on an innovative ‘bystander’ model which allows individuals to be empowered to take on a positive role model responsibility within their (marine) community. The training is largely conducted through role-play.

Across college campuses in the US, Bystander Intervention (Berkowitz, Katz and others) programs have been introduced and initial reports of these programs (Berkowitz)<sup>40</sup> have recorded a reduction in sexual assaults by 75% over a four month period in the college environment. Whilst further evaluation is required, initial indications are encouraging. This training is delivered face to face, is interactive, and presented in small groups rather than computer based e-learning or via power point. The USAF will introduce the Bystander Intervention model for women, men and leadership, as a 90 minute session and the strategic goal is to have all US Air Force personnel receive the training over 20-24 month period. Segregating gender in the military for education purposes remains a topical issue and whilst researchers continue to debate the value of this, I found the USAF initiative to the approach of this issue in Bystander Intervention refreshing. The US Navy<sup>41</sup> are also piloting the Bystander Intervention

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<sup>35</sup> Katz, J. M Ed., Director. MVP Strategies.

<sup>36</sup> Berkowitz, A. Ph. D., Independent Consultant, NY

<sup>37</sup> Lisak, D. Ph. D., Forensic Consulting

<sup>38</sup> Bayliff, C. Esq Attorney at Law, National Judicial Education Program, Legal Momentum

<sup>39</sup> Katz, J. M Ed., Director. MVP Strategies.

<sup>40</sup> Email correspondence from Berkowitz, A. Ph. D., Independent Consultant, NY,

<sup>41</sup> US Navy Center for personal and professional development, Damneck Annex

programs (as 3 x 90 minute sessions) across all elements and further analysis will be conducted to evaluate the effectiveness of the program for the Department of Navy (DoN).

Stern, Foubert and Kilmartin<sup>42</sup> developed the Sexual Harassment & Assault Prevention Education (SHAPE) program in 2006 for the US Naval Academy. This is a four year tiered level program which utilises peer educators to deliver the training. Peer educators qualify as ‘train the trainers’ and are mentored by the SAPR Training and Education Director and staff. The training establishes and embeds cultural awareness of the issue and effectively engenders cultural change for the new generation leaders.

Interactive sexual assault prevention campaigns are widely used across the United States both in college and military environments. The US Army and Air Force utilise ‘Sex Signals’<sup>43</sup>, a production that engages and educates the audience in often confrontational ways looking at dating, sex and the issue of consent. It is presented with an element of improvised comedy but invariably silences the audience when it highlights the serious aspect of the issue. It looks at the awkward issue of dating and explores how social pressures, unrealistic fantasies, power imbalance and false preconceived ideas about the other gender can all influence the outcome and lead to sexual assault.

The US Navy utilises the SCREAM (Sailors Challenging Reality and Myths) program. These drama presentations address drug and alcohol abuse, sexual assault, domestic violence and risk reduction to raise awareness of sexual assault and increase reporting.

Subsequent education on sexual assault prevention and response is provided in command, leadership and career development programs. Community education and awareness training in the American Forces is conducted by VA’s or UVA’s (who are either civilians, senior non-commissioned officers or junior officers) on bases, in ships and in deployable units.

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<sup>42</sup> Stern G, Co-founder Catharsis Productions, Foubert, J. Assoc. Prof. Oklahoma State, Kilmartin, C. Prof. Mary Washington.

<sup>43</sup> Catharsis Productions

*”If we just look at it as General Military Training (GMT) then you have failed your people”*

*Vice Admiral Daly – USN*

*Navy SARC Summit – Mar 2010*

The Equal Opportunity Advisers (EOA’s) ten week education program undertaken at the US military’s Defense Equal Opportunity Management Institute (DEOMI) trains cultural change agents. Whilst these personnel are not routinely utilised by the USMC, USN or USAF as part of the SAPR program, the US Army have found that those skills are enabling for their Deployable SARC’s/VA’s.

The USN’s Naval Criminal Investigative Service (NCIS) Family and Sexual Violence Office have a crime reduction education program. This is delivered by agents and investigators on issues relating to domestic violence, threats of violence and sexual assault. This training is complimentary to education and awareness briefs provided by other elements of the USN. Key components of this training include promoting NCIS’ sensitivity towards the victim’s dignity and respect and providing an awareness of the policing process. NCIS also educates commanders, command Points of Contact (POC’s) and Command Liaison Officers (CLO’s) on dealing with collateral misconduct. Collateral misconduct is conduct that is contrary to the Uniformed Military Code of Justice (UCMJ) (eg. underage drinking, out of bounds areas etc)

The Canadian Forces (CF) Military Family Resource Centre (MFRC) Esquimalt, works collaboratively with the Victoria Women’s’ sexual assault crisis centre and the Violence Against Women in Relationships (a Provincial Agency) to deliver a youth (can include young CF military personnel) focussed program called ‘Project Respect’. It targets teens on issues of sexual harassment and sexual interference through drama skits & interactive discussions.

It can be seen that the US Military, in particular, are leading in the delivery of a very effective sexual assault ‘prevention’ education, training and ‘intervention’ program. The ADF should consider introducing some of these (or related) programs.

**8.13 Preparation.** In the US, the Defence Equal Opportunity Management Institute (DEOMI) conducts climate surveys for Commanding Officers (COs) within 90 days of taking up

a Command. This assists them in knowing if there are any potential problem areas and what the problems are. These surveys also assist COs to pre-plan how they can most effectively respond to a sexual assault and helps them identify what resources are available to them.

Consideration must be given to the structure or model of response with particular emphasis on which first responders will take the lead on victim advocacy. The Canadian Forces facilitate this through their CFNIS which is responsible for engaging the civilian victim services officer. Standard across all US military forces under the SAPR program is the SARC as coordinator of all response, governance, training, advocacy and support. Policing agencies (including the Home Office) in the UK utilise Family Liaison Officers (FLO's) in all rape and death investigations. These are trained investigative police officers. The Royal Navy (RN) uses a naval police advocate (Sexual Offence Investigator Trained – SOIT – officer) who provides primary victim care and is a conduit for the lead investigator to assist in gathering evidence from the victim.

There are two key elements of preparatory plans:

- a. the Command's engagement of and establishment of a rapport with, first responders - chaplains, psychologists, social workers, community and support services (Rape crisis centres), law enforcement, legal and medical services; and
- b. Command's and first responder's recognition of the value of partnership and collaboration. Whilst all first responders are independent agents, it is essential they (ie. Both COs and first responders) understand that operating a sequential response can destabilise an investigation or re-traumatise the victim.

As the incidence of reports of sexual assault in the coalition environment is increasing, it is vital that individuals from all participating forces know what support is available and how to access it in Theatre. The establishment of protocols is required for commands and first responders in the multinational environment.

**8.13.1 Strategic Response.** The USAF SAPR Program Manager directs their strategic multidisciplinary approach. They have a formulated structure which supports all first responders including; legal, counselling, advocacy, medical, law enforcement and the prevention

and risk reduction practices. All resource and funding requirements to support prevention and response activities by first responders is centrally coordinated.

The US military forces have allocated funding to provide training for SARC's and VA's and to ensure that ongoing professional development occurs in order to maintain currency. The SARC delivers training to all first responders and this includes briefings for: medical personnel, Provost Marshall Office, Staff Judge Advocates, NCIS and Chaplains. It is noteworthy that each responder also educates the other about their role in responding.

A significant amount of resource development has occurred in the US, including the development (with the assistance of consultant subject matter experts) of in-house training packages for SARC's, UVA's, VA's, and the USN has developed a SAPR Commander's tool kit. This is a useful resource provided to all CO's within 90 days of taking up command during a personal briefing session by the SARC.

There are some obvious benefits for military organisations in having a comprehensive strategic response policy which includes centralised funding, process coordination and training as exemplified in the US forces.

**8.13.2 Judicial Education.** Legal Momentum established the 'National Judicial Education Program' (NJEP) in 1980 to '*educate judges, lawyers, law students and other legal professionals and leads the gender bias task force movement to end gender inequality in legal systems across the US. The program focuses on domestic violence and sexual assault cases in the judicial process*'. NJEP developed '*Understanding Sexual Violence: The Judicial Response to Stranger and Non-stranger Rape and Sexual Assault*'. This aims to educate judges (and other legal professionals) about the myths and attitudes that undermine full and fair legal resolve for sexual assault victims.<sup>44</sup>

Judicial Education in Australia is topical and not embraced widely amongst the judiciary. Some suggest it is a 'threat to judicial independence'. All judicial education in Australia is voluntary and judges are not required to complete any induction or continuing education training.

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<sup>44</sup> [www.legalmomentum.org/National Judicial Education Program](http://www.legalmomentum.org/National_Judicial_Education_Program)

Australian judges, lawyers and other legal professionals (including police investigators) base their judgements on their education and personal experiences. The Australian community would benefit if judges, lawyers and other legal professionals in the sexual assault field, engaged in a communal model of learning based on experiences of others. This model of learning would also benefit the ADF judiciary and military police.

NJEP also developed training resources with Lisak<sup>45</sup> on *'The Undetected Rapist'* and *A response to 'The Undetected Rapist'*, both of which are foundation tools for all arms of the US Military in SARC, VA and sexual assault awareness training.

**8.14 Response.** All foreign military organisations I visited confirmed that the preservation of the rights of all persons involved (including victims and respondents) is paramount to any successful response to a Sexual Assault. This includes preservation of their right to participate in any process involving police, investigations, evidence collection and medical examinations as well as ensuring their rights are protected throughout any judicial process. The appointment of an advocate and/or case manager assists in these rights being preserved.

**8.14.1 Advocacy.** Victim centric advocacy programs in the military employ specially trained personnel to provide direct and transparent support and professional guidance to victims of sexual assault. Advocates provide victims with options for; reporting incidents, investigating allegations, medical examinations and accessing support services. This also empowers victims to make choices for themselves, which is the initial step in moving forward. Advocacy highlights the importance of communication in a victim's recovery process and provides for better management of expectations.

The Canadian Forces (CF) advocacy is facilitated by the Canadian Forces National Investigative Service (CFNIS), where a victim's 'choice package' is provided and access to the victims services component of the policing agency is encouraged. In addition, the Military Family Resource Centre (MFRC) social worker works with police and hospital staff (and can be called out directly by these) as part of the provincial Sexual Assault Response Team (SART).

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<sup>45</sup> Lisak, D. Ph. D., Forensic Consulting

Victim Advocacy in the US is provided by the Sexual Assault Prevention and Response (SAPR) program. Victim Advocates (VA) or Uniformed Victim Advocates (UVA) are notified and respond to all reports of sexual assault. They provide victims with the range of options they have available to them and facilitate all support, medical, and reporting and investigation requirements. VA's and UVA's across the services are volunteers who undergo an average of 40 hours training. They continue to provide case support until the victim no longer requires it. This can last up to two years or however long a case takes for closure. SARC's are employed in their positions based on skills, knowledge and experience in the Sexual Assault field. In line with current practice in the US, first responders are required to call a VA, UVA or SARC, thus ensuring victim care is dealt with as the highest priority. It is the role of the VA, UVA or SARC to ensure that the Victim Preference Statement (VPS) which indicates whether a victim chooses a 'Restricted or Unrestricted report' is completed prior to initial contact being broken.

In the UK, the Royal Navy employs Sexual Offence Investigator Trained (SOIT) officers who are detached to look after the victim's best interests. Whilst a SOIT has an investigative role in obtaining information for the lead investigator, their primary role is victim care and to ensure the victim is furnished with all the options available to them. This is in line with the Hampshire, UK police and Home Office practices. In addition, other elements of the UK forces utilise the engagement of the Soldiers, Sailors and Airmen's Families Association (SSAFA), which is an independent, charitable organisation contracted to the services, to ensure support is provided throughout the process.

In the ADF, there are elements of victim advocacy, such as the model employed at CERBERUS, where the Sexual Offence Support Person (SOSP) facilitates all support, medical and reporting requirements. The SOSP is a voluntary appointment and there is a process for selection which includes psychological screening to ensure the individual isn't carrying any 'baggage' and is the right person to be able to provide support. It has been mandatory in the ADF for over ten years for at least one counselling session for the victim and this is facilitated by the SOSP at CERBERUS or the case manager elsewhere.

**8.14.2 Policing.** The Canadian Forces National Investigative Service (CFNIS) pride themselves on the development of their investigators through partnerships with 'external' or

civilian policing agencies and employing 'best practices' when it comes to investigations. The number of trained sexual assault investigators attached to a military region is proportionate to the sexual assault workload. CFNIS offers support to the victims of crime and their families as a top priority. Maintaining contact with a victim and communicating regularly 'what the next steps are in the process' are central to ensuring that compassion and respect are provided to those involved. They engage victims with the Victim Assistance Program (Services Component) which will facilitate the victim 'choice package', counselling, and provide a conduit for information between victim and CFNIS. CFNIS has jurisdiction to investigate all crimes on Department of National Defense property and CFNIS can elect to have this tried in a military or civilian court of law.

The USN's, NCIS in Norfolk is the largest field office in the agency which employs a civilian investigator (with extensive civilian sexual assault unit experience) in their Family and Sexual Violence Office. NCIS recognises that sexual assaults are '.....totally different from investigating any other crime' and '...that agents or police investigating these incidents need to allow the victim to set the tempo' stating that '..any pressure means you will lose them and they will back track'. They work collaboratively with the SARC. This practice is consistent with that which operates in Australia with specifically trained Sexual Offence and Child Abuse Unit (SOCAU) civilian police officers and investigators. NCIS agents undertake a training course at the Fleet Law Enforcement Training Centre (FLETC) which, in part, aims to 'humanise' investigating agents who deal with sexual assault. They are required to treat victims with sensitivity, dignity and respect and they must make sure that the victim knows what is going on at all times. NCIS agents facilitate the victim's contact with the Victim Witness Assistance Program (VWAP) if their case is prosecuted.

The RAF Special Investigation Branch (SIB) has endorsed the Association of Chief Police Officers (ACPO) & Home Office victim centric program highlighting the importance of transparency. The program sanctions multi-agency response, advocacy and support. The Home Office trains the Family Liaison Officer (FLO) who, although being an investigator and police officer, becomes victim focused and provides support to the investigation. The role becomes one of chain of command rather than policing. With the introduction of the Armed Forces Act 2006,

(commenced Sep 09), the MoD policies and practices have aligned with those of the Home Office.

Practices within the Royal Navy (Portsmouth area) support the Sexual Offence Investigator Trained (SOIT) SIB officer. Although the SOIT's role is primarily victim care, they also facilitate forensic medical examination and ensure chain of custody of evidence. They support the lead investigator by acting as an interface between the victim and the system. The SOIT stays with the victim throughout the process up to and including court. This is a relatively new program which links in with Hampshire Police. The SOIT officers train with the civilian policing agency and are able to consolidate the training through unit placements with the Crystal Unit (the local sex crimes unit). This provides them an opportunity to enhance their skill set and build on relationships with the multi-agency advocacy and support services of The Treetops Centre (the rape crisis and counselling unit).

The UK military's Provost Marshall (PM) staff in conjunction with the Service Police Crime Bureau (SPCB) monitors service personnel on the Violent and Sex Offender Register (ViSOR) and in accordance with the Multi-Agency Public Protection Arrangements (MAPPA). Personnel who receive a custodial sentence are automatically discharged from the services. However those personnel who are convicted as sex offenders but receive a non-custodial sentence, are required to be managed by the relevant service. During the procedurally fair administrative process which would determine the future of the individual in service, an active policing involvement by the SPCB and individual service PMs is required. This Offender centric program is managed in conjunction with local police, council, probation officers, youth offending teams, Magistrates court and could also include from within the relevant service, the personnel officer, housing authority, Family Liaison Officer, social worker and psychologist. This team determines the offender's employability and career management and they conduct a risk assessment whilst the determination is made on the offender's future in service. Noting the policy is that no sex offender will be retained except in exceptional circumstances, the period of management of an offender is normally a relatively short period until discharged.

There appear to be a number of policing strategies and arrangements used by foreign military policing organisations which would be worthy of consideration for adoption or variation in the ADF.

**8.14.3 Medical.** The primary crime scene for a sexual assault is the victim's body. To gather evidence from the person (in cases of penetration), a Sexual Assault Forensic Examination (SAFE) is offered in Canada, the US, the UK and in Australia. This is an invasive procedure and must be conducted with the informed consent of the victim. In the US a SAFE can be conducted under the 'Restricted' reporting option in most states and NCIS (or other policing agencies) will store the SAFE evidence for 12 months in the event that the victim changes to an unrestricted report. Across the DoD and the American (& Canadian) Forces, Sexual Assault Nurse Examiners (SANE) are contracted to assist in the gathering and ensuring the chain of custody of evidence is preserved, which has benefits when law enforcement are not informed (ie: Restricted reporting in the US). In Australia, a SAFE can only be conducted with policing agencies involvement to ensure chain of custody of evidence collection.

**8.14.4 Military Sexual Trauma.** Victims of sexual assault may suffer anxiety, depression, some symptoms of Post Traumatic Stress Disorder (PTSD) or be diagnosed with PTSD. Recent studies of veterans in the US suggest that those who suffer from trauma as a result of sexual assault in the military (now referred to as 'Military Sexual Trauma' or MST) could be at an increased risk of suffering from PTSD given the levels of stress they are exposed to. The research suggests that some US military members who do not have access to social support, medical or mental health services are at an even higher risk for PTSD.<sup>46</sup> This research further substantiates the benefit of advocacy which may impact on the longer term mental health of the victim.

**8.15 Long Term Case Management.** Subject matter experts that I spoke to in Canada, US and the UK all agree that management of personnel involved in sexual assaults is central to Command effectiveness. Knowing what is going on, what services are needed and being accessed, as well as what went well and what fell through the cracks is foremost in case

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<sup>46</sup> Tull, M., PhD.,

managing these incidents. Overseeing the needs of both the victim and respondent (and any witnesses) needs to be focused on keeping those involved functional and ensuring the organisation can still be 'mission ready'. In view of the complexity of this task, Commands need the expertise and assistance of multi-agency support services to manage all of the personnel involved in a sexual assault case, particularly over the longer term.

In the US and Britain different models of long term case management structures are in place. These include: DoD Case Review Committees, Sexual Assault Administrative Board (SAAB), Sexual Assault Case Management Group (SACMG), CF Sexual Assault Response Team (SART), RN Sensitive Case Advice & Reaction Team (SCART), UK Multiagency Employment Meeting (MAEM) and Multiagency Sex Offender Management Meeting (MASOMM). Each of these has case management responsibility to either, the victim, offender or Command. Meetings are conducted monthly with relevant key stakeholders from multi-agency civilian and military networks.

**8.15.1 Victim.** In the US, installation SARC's are responsible for the case management of victims on behalf of the higher command. The Sexual Assault Case Management Group (SACMG) includes internal and external agencies. VA's are a crucial part of that case management and provide a conduit between the victim, SARC's, Commands and investigators. They also facilitate access to all required services and provide the social support that is absent due to being geographically distanced from family and friends. This is victim driven case management which is reviewed monthly. When a victim discharges from the military the SACMG ensures the victim is referred to a civilian agency and Veteran Affairs.

**8.15.2 Respondent.** Although many respondents and offenders claim they are not afforded the same 'rights' as victims, throughout my journey, I found the consistent utilisation of Divisional Officers or case managers assigned to respondents who can provide assistance in facilitating access to legal and other supporting agencies. Respondents do appear to have access to the normal support services within the military (legal, psychologist, social worker, psychiatrist and chaplain) and this ensures the 'system' across all military forces avails the individual of services which protects the individual's rights. In the Canadian, American and British Forces, depending on the seriousness of the crime they have been accused of, or charged with, a

respondent is referred for a 'risk and needs assessment' to determine if there may be any medical (mental health) employment limitations.

In addition to this, the Royal Navy (RN) utilises a Sensitive Case Advice and Reaction Team (SCART) which provides consistency in managing these cases against a National set of standards. The SCART's mission is to ensure everyone who is in difficulty (particularly in rare, complicated or very complex circumstances) has someone to look after them and this includes assisting Commands in doing so. The SCART consists of three senior officers and all cases are personally tracked by contact with the relevant Commanding Officers. The SCART looks for any indication of risk and is centred on safety despite the processes that may be occurring. Managing a respondent can be a difficult challenge, particularly when their alleged behaviour is clearly not in line with their organisation's values or ethos. The strategic support and guidance provided by the SCART is crucial in ensuring respondents are managed with dignity and treated procedurally fair.

There are elements of the RN's SCART methodology for supporting respondents that may be worthy of consideration or adoption by the ADF.

**8.15.3 Offender.** Across the three foreign services I visited, like the ADF, personnel who are convicted of a sex offence and incur a custodial sentence are automatically discharged. Those personnel who are convicted of a sex offence that receive a non-custodial sentence (and who are then generally placed on the sex offender register), however are subjected to an administrative process within service to determine their suitability for retention. Notwithstanding the administrative review the policy across all the services is no sex offender will be retained in service except in exceptional circumstances.

In the UK, the individual service Provost Marshall's and the Service Police Crime Bureau strategically case manage the sex offender at the Multi-agency Sex Offender Management Meeting (MASOMM) and the Multi Agency Employment Meeting (MAEM) as part of the Home Offices' Multi Agency Public Protection Arrangement (MAPPA). The MAEM develops guidelines for employability and an action plan. The MASOMM looks at the career management, offender ownership, risk assessment and action plan. It determines whether the offender is managed by a MAPPA officer or the Single service Sex Offender Manager.

The UK's comprehensive case management arrangements for sex offenders appear to be 'best' practice across all reviewed military organisations and thus would be worth consideration by the ADF.

## 9. CONCLUSION

*“Sexual Assault is the loss of the very essence of your being – all that you thought who you were has been taken from you”.*

*Sexual Assault Victim<sup>47</sup>*

In dealing with these complex issues, leadership must balance the needs of the (military) community with that of the individual. Whilst every effort should be made to respect the wishes of the victim, commanders must also be able to maintain discipline and provide a safe environment for others. Policy must reflect a strategic approach for whole of service and Commands must act with sensitivity to and be victim focused.

As media interest and public scrutiny, adds levels of complexity and urgency that can sometimes be detrimental to the normal investigative, administrative and disciplinary processes, military leadership and those personnel in support of sexual assault situations must have the capacity to respond to these external pressures without affecting the established processes. Any allegation of a sexual assault within a military environment divides the team and has potential to jeopardise the mission. The collaboration of multi-agency advocacy, support and response is crucial in the successful management and timely resolution of these issues.

As the majority of sexual assaults are alcohol or drug facilitated, risk reduction education must place a greater emphasis on strategies to negate this linkage. This is not only required amongst potential victims and perpetrators but should also include first responders and the judiciary to dispel the cultural myths surrounding the causes of sexual assault.

As it must be accepted that military organisations will never be able to completely 'screen out' (in their recruiting processes) those people in the wider community who are more susceptible to being either victims or perpetrators of sexual assault, efforts need to be focussed on minimising

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<sup>47</sup> Comments made by an 'unidentified' victim.

the occurrence and impact of these crimes in the Services. Prevention efforts in socialisation, gender diversity, bystander intervention and peer education should be continual, progressive and sequential. Role modelling (Leadership), accountability and ongoing education form an integrated package that can impact on behavioural change.

Governments, schools, families and all of Australia's culturally diverse communities need to partner in sexual assault prevention if Australia is to minimise this problem in both society and in the military. The young men and women of this country who have volunteered to serve it, need to be in the best physical, mental and emotionally sound state if they are to effectively 'Defend Australia and its National Interests'.

## **10. RECOMMENDATIONS**

### **Recommendation One:**

The ADF should employ a strategic approach to Sexual Assault prevention by engaging with the Office of Women and the National Association of Services against Sexual Violence, to ensure that prevention education is continuous, progressive and sequential to what is being taught in schools and being delivered in community settings.

### **Recommendation Two:**

The ADF should employ multiagency support, advocacy and response in line with Canadian, American and British Forces. The preference would be to model the 'best practice' SOSP program employed at HMAS CERBERUS.

### **Recommendation Three:**

That a 'Restricted' and 'Unrestricted' option for disclosure should be provided to ADF victims, allowing them to access medical and mental health services without law enforcement involvement. This will provide Commands with environmental knowledge to ensure future risk reduction measures could be put in place.

**Recommendation Four:**

Risk reduction education for sexual assault should be partnered with alcohol and drug education to be inclusive of potential perpetrators, victims and to include first responders.

**Recommendation Five:**

Protocols should be established with multinational Forces for advocacy, support and response.

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**ABBREVIATIONS**

ACPO	ASSOCIATION OF CHIEF POLICE OFFICERS
ACSSA	AUSTRALIAN CENTRE FOR STUDIES OF SEXUAL ASSAULT
ADF	AUSTRALIAN DEFENCE FORCE
ADFA	AUSTRALIAN DEFENCE FORCE ACADEMY
ADFS	AUSTRALIAN DEFENCE FORCE INVESTIGATIVE SERVICE
ADO	AUSTRALIAN DEFENCE ORGANISATION
CASA	CENTRE AGAINST SEXUAL ASSAULT
CDF	CHIEF OF DEFENCE FORCE
CF	CANADIAN FORCES
CFB	CANADIAN FORCES BASE
CFNIS	CANADIAN FORCES NATIONAL INVESTIGATION SERVICE
CO	COMMANDING OFFICER
DEOMI	DEFENCE EQUAL OPPORTUNITIES MANAGEMENT INSTITUTE
DND	DEPARTMENT OF NATIONAL DEFENSE
DoD	DEPARTMENT OF DEFENSE
DoN	DEPARTMENT OF NAVY
D/SARC	DEPOLYABLE SEXUAL ASSAULT RESPONSE COORDINATOR
DTFSAM	DEFENCE TASK FORCE ON SEXUAL ASSAULT IN THE MILITARY
E&D	EQUITY & DIVERSITY
FLETC	FLEET LAW ENFORCEMENT TRAINING CENTRE
FLO	FAMILY LIAISON OFFICER
FRB	FAIRNESS & RESOLUTION BRANCH
IGADF	INSPECTOR GENERAL AUSTRALIAN DEFENCE FORCE
GMT	GENERAL MILITARY TRAINING
GWR	GOOD WORKING RELATIONSHIPS
HMAS	HER MAJESTY'S AUSTRALIAN SHIP
HMS	HER MAJESTY'S SHIP
MAEM	MULTIAGENCY EMPLOYMENT MEETING
MAPPA	MULTIAGENCY PUBLIC PROTECTION ARRANGEMENTS
MASOMM	MULTIAGENCY SEXUAL OFFENCE MANAGEMENT MEETING
MFRC	MILITARY FAMILY RESOURCE CENTRE
MST	MILITARY SEXUAL TRAUMA
MVP	MENTORS IN VIOLENCE PREVENTION
NASASV	NATIONAL ASSOCIATION OF SERVICES AGAINST SEXUAL VIOLENCE
NCIS	NAVAL CRIMINAL INVESTIGATIVE UNIT
NGN	NEW GENERATION NAVY
NJEP	NATIONAL JUDICIAL EDUCATION PROGRAM
OC	OFFICER COMMANDING
ODU	OLD DOMINION UNIVERSITY
PMO	PROVOST MARSHALL OFFICE

PTSD	POST TRAUMATIC STRESS DISORDER
RAF	ROYAL AIR FORCE
RAN	ROYAL AUSTRALIAN NAVY
RN	ROYAL NAVY
ROTC	RESERVE OFFICER'S TRAINING CENTRE
SAAB	SEXUAL ASSAULT ADMINISTRATIVE BOARD
SACMG	SEXUAL ASSAULT CASE MANAGEMENT GROUP
SAFE	SEXUAL ASSAULT FORENSIC EXAMINATION
SANE	SEXUAL ASSAULT NURSE EXAMINER
SAPR	SEXUAL ASSAULT PREVENTION & RESPONSE
SAPRO	SEXUAL ASSAULT PREVENTION & RESPONSE OFFICE
SARC	SEXUAL ASSAULT RESPONSE COORDINATOR
SART	SEXUAL ASSAULT RESPONSE TEAM
SCART	SENSITIVE CASE ADVICE & REACTION TEAM
SCREAM	SAILORS CHALLENGING REALITY AND MYTHS
SEQ	SEXUAL EXPERIENCES QUESTIONNAIRE
SECASA	SOUTH EASTERN CENTRE AGAINST SEXUAL ASSAULT
SHAPE	SEXUAL HARASSMENT & ASSAULT PREVENTION EDUCATION
SIB	SPECIAL INVESTIGATIONS BRANCH
SPCB	SERVICE POLICE CRIME BUREAU
SOCAU	SEXUAL OFFENCE & CHILD ABUSE UNIT
SOIT	SEXUAL OFFENCE INVESTIGATOR TRAINED
SOSP	SEXUAL OFFENCE SUPPORT PERSON
SPCB	SERVICE POLICE CRIME BUREAU
SSAFA	SOLDIERS, SAILORS & AIRMEN FAMILIES ASSOCIATION
STI	SEXUALLY TRANSMITTED INFECTION
UCMJ	UNIFORMED MILITARY CODE OF JUSTICE
UK	UNITED KINGDOM
USA	UNITED STATES OF AMERICA
USAF	UNITED STATES AIR FORCE
USMC	UNITED STATES MARINE CORPS
USN	UNITED STATES NAVY
UVA	UNIFORMED VICTIM ADVOCATE
VA	VICTIM ADVOCATE
VARJ	VICTORIAN ASSOCIATION OF RESTORATIVE JUSTICE
ViSOR	VIOLENT SEX OFFENDER REGISTER
VPS	VICTIM PREFERENCE STATEMENT
VWAP	VICTIM WITNESS ASSISTANCE PROGRAM

## **FULL PROGRAMME & FURTHER ACKNOWLEDGEMENTS**

**26 Feb – 08 Mar 2010**

**Canadian Forces Base Esquimalt – appointments included:**

- Commander Barbara Carter – Officer Commanding Joint Personnel Support Centre;
- Chief Petty Officer 1<sup>st</sup> Class, Bob Cookson, CD, MARPAC Formation Chief Petty Officer;
- Chief Petty Officer1, Paul Helston, MMM, CD, Fleet Chief, Canadian Fleet Pacific;
- Chief Petty Officer1 Peter Ford, Base Chief, Pacific Region;
- Captain Brian Weatherbee, Officer Commanding, Canadian Forces National Investigation Service (CFNIS), Pacific Region & Staff;
- Ms Maryse Nielsen, Director Health Promotion;
- LCDR Joanne Steinmetz, Corporate Services Personal Administration Officer for the Formation;
- Women’s Network of MARPAC;
- Lt (N) Lyn Kingsley, MARPAC Social Worker, CF Health Services;
- CPO1 David Hart, Coxswain Fleet School;
- Ms Marianne Ostophovich, Prevention, Support and Intervention Coordinator, Military Family Resource Centre;
- Defence Community Welfare Action Team; and
- Lt(N) Ros Bird, Logistics Officer, HMCS Ottawa.

**09 Mar 2010**

**The Pentagon, Arlington Virginia – discussions with:**

- Ms Charlene Bradley, Assistant Deputy Force Management & Integration, USAF.
- Mr Carl Buchanan, Program Manager Sexual Assault Prevention and Response, USAF;  
and
- Mr Jim Russell, Associate Chief Military Justice, USAF.

**10 Mar 2010**

**National Judicial Education Program, Falls Church Virginia – discussions with:**

- Ms Claudia Bayliff, Project Attorney; and
- Lynn Hecht Schafran, Senior Vice President and Director, Legal Momentum

**11 – 12 Mar 2010**

**United States Marine Corps, Quantico, Virginia, USA – discussions with:**

- Mr Ray Bruneau, USMC Col. Rtd., Section Head, Sexual Assault Prevention & Response  
Office

**15 – 18 Mar 2010**

**USMC Camp Lejeune, Jacksonville, North Carolina, USA**

**Uniformed Victim Advocate Training**

- Ms Parissa Featherson, Victim Advocate Specialist;
- Ms Holly Kelly, SAPR Program Manager, Camp Pendleton; and
- Mr Carlos Lowe, SAPR Program Manager, Recruit Depot East Paris Island.

**22 – 24 Mar 2010**

**Defense Equal Opportunity Management Institute, Florida, USA – discussions with:**

- Dr Dan McDonald, Executive Director of Research;
- Mr Jerry Scarpate, Deputy Director for Research;
- Ms Rebecca Markham, Director of Clearinghouse, Research;
- Dr Wm Gary McGuire, Director of Research, Simulations and Learning;
- CDR Scott Emison, Director of EO Education and Training;
- LTC Vance McLeod, Director of Education and Training;
- Major Rachel Castellon, Director of Strategies;
- Dr Erin Moeser, Chief of Simulations;
- LCDR Loring Crepeau, J-9 Chief Scientist;
- MSG Kirk Simpson, Deployed Sexual Assault Response Coordinator, US Army;
- SFC Alexander, CONUS Sexual Assault Response Coordinator, Ft Bragg, N.C;
- MSG Cecelia Carroll, CONUS Sexual Assault Response Coordinator, Ft Hood, TX;
- Ms Liz Steinhauser, Research Intern, Florida Institute of Technology;
- Ms Chaunette Small, Research Intern, Florida Institute of Technology; and
- Dr David Faulkner, Research and Instructional Design Chief.

**26 Mar 2010**

**National Judicial Education Program, New York City, New York, USA**

- Lynn Hecht Schafran, Senior Vice President and Director, Legal Momentum

**31 Mar 2010**

**National Judicial Education Program, Falls Church, Virginia, USA**

- Ms Claudia Bayliff, Project Attorney.

## **01 Apr 2010**

### **United States Naval Academy, Annapolis, Maryland USA included discussions with:**

- Captain Diana Cangelosi, USN, Sexual Assault Response Coordinator;
- Ms Karen Gentile, Training & Education Director & Sexual Assault Clinical Services Director & Staff;
- LT Robin Akin, Deputy Sexual Assault Response Coordinator;
- Senior Chief Petty Officer Rex Bixby, Sexual Assault Victim Advocate, 6<sup>th</sup> Company Senior Enlisted Leader;
- Ms Liz Russo, Sexual Assault Response Coordinator, NSA Annapolis, NHC Annapolis, NIOC-Ft Meade.

## **8 – 10 Apr 2010**

### **US Navy – Naval Station Norfolk, Virginia included meetings and discussions with;**

- Mr Alex Ottaviani, Site Manager, Fleet and Family Support Centers, Mid Atlantic;
- Ms Linda Haynes, Regional Counselling and Advocacy Coordinator;
- Mr Larry Hockman, Investigator, Naval Criminal Investigative Services;
- Women's Center Coordinator, Old Dominion University;
- Lt Samantha Lippoff, Naval Station Norfolk Legal;
- LTjg Maura Adams, Emergency Room Staff and Sexual Assault Coordinator, Naval Medical Center, Portsmouth;
- CPO Odis Smith, Point Of Contact, Training Support Centre, Hampton Roads;
- PO1 Christopher Kirby, Victim Advocate, Norfolk Naval Shipyard; and
- PO1 Tim Koller, Victim Advocate, Emergency Management, Naval Station Norfolk.

### **US Navy – Damneck Annex – Center for Personal and Professional Development**

- CAPT Chuck Hollingsworth, USN, Deputy Commander and staff;

### **13 – 14 Apr 10**

**US Navy – Little Creek / Fort Story, Hampton Roads, Norfolk, Virginia**

#### **Victim Advocate Training**

- Ms Tanya Rogers, Program Manager and Sexual Assault Response Coordinator, Little Creek/Fort Story;
- Maxine Green, Sexual Assault Response Coordinator, Little Creek/Yorktown; and
- Meredith McCall, Sexual Assault Response Coordinator, Norfolk.

### **15 – 21 Apr 2010**

Stranded in Washington, DC due to closure of Airspace over UK as a result of Ash from the Volcano in Iceland.

### **22 – 23 Apr 2010**

**HQ Provost Marshall – Royal Navy, HMS Excellent, Portsmouth, Hampshire, UK**

#### **Appointments and discussions with:**

- CMDR Tony West, Provost Marshall Navy;
- LCDR Tony Day, Deputy Provost Marshall Navy;
- LT Michelle Thompson, Staff Officer Policy; and
- LT Mitch Youngman, Staff Officer 3 Royal Navy Police Ops.

### **23 Apr 2010**

**Site visit ‘The Treetops Centre’ (Sexual Assault Referral Centre)**

**Cosham, Hampshire, UK**

- Project Officer, Young Persons Worker and Independent Sexual Violence Advocate; and
- Regulating Petty Officer Natalie Stewart, Sexual Offence Investigator Trained (SOIT)

### **23 April 2010**

**Site visit ‘The Crystal Unit’, Hampshire Police,**

**Portsmouth, Hampshire UK**

**25 April 2010 – ANZAC DAY Services – London**

**26 Apr 2010**

**Royal Air Force Henlow, Central Bedfordshire, UK**

**Appointments and discussions with:**

- Group Captain J W Whitmell, Provost Marshall, RAF;
- WO Andy Kerslake, Policy Warrant Officer, General Police Duties;
- WO John Harris, Warrant Officer A5 Investigations and Legislation;
- FSGT Alex Balmer, RAF Police (Investigation & Legislation) Policy;
- Ms Pam Evans, Senior Social Worker, Soldiers, Sailors and Airmen's Families Association;
- Flight Lieutenant Bridger, Officer Commanding, Personnel Management Squadron; and
- WO Nick Harper, Warrant Officer Equal Opportunity Investigation Team.

**27 Apr 2010**

**Royal Air Force Halton, Buckinghamshire, UK**

- WO Rab Motherwell, Officer in Charge, RAF Special Investigation Branch; and
- SGT Pete Gilpin, Crime Manager, Special Investigation Branch.

**Air Command – Royal Air Force, High Wycombe, Buckinghamshire UK**

- Group Captain Nick Barry, Deputy Chaplain Chief;
- Squadron Leader Michelle Randall, SO2 Equality & Diversity Policy; and
- Squadron Leader Steve Parker, Air Command A1, Casework 2 SO2.

**28 – 29 Apr 2010**

**HMS Nelson – Portsmouth, Hampshire, UK**

- RN Chaplaincy aspects with Reverend Andrew Corness.

**Fleet Headquarters – HMS Excellent – Portsmouth, Hampshire, UK**

- Commander Liz Walmsley, RN Equality & Diversity Policy Officer; and
- Lieutenant Commander Beki Lancaster, Manager and Advisor Formal Complaints.

**Provost Marshall – Navy**

Discussions Violent & Sex Offender Register (ViSOR) & Multi Agency Public Protection Arrangements (MAPPA)

- Lieutenant Mitch Youngman, Staff Officer 3 Royal Navy Police Ops.

**30 Apr 2010**

**Service Police Crime Bureau – Southwick Park, Hant, UK**

Discussions Violent and Sex Offender Register (ViSOR) Management:

- WO1 John Horne, Regimental Sergeant Major; and
- Mr Andy Ranson, Public Protection Office Manager, Criminal Justice and Public Protection Office.

**5 May 2010**

**Royal Navy Special Investigation Branch, HMS Nelson – Portsmouth, Hampshire, UK**

Discussions on Fleet Response:

- LCDR Geoff Wilson, Officer in Charge Special Investigation Branch
- MAA George Freeman, Fleet Crime Scene Manager – Royal Navy Police; and
- Regulating Petty Officer Claire Bell, Investigator/Forensic Support, Royal Navy Police (& Sexual Offence Investigator Trained).

**HMS Excellent – Portsmouth**

Discussions on the roles and functions of the Sensitive Case Advice & Reaction Team (SCART):

- Captain Tim Martin, Royal Navy, Deputy Assistant Chief of Staff, Welfare and Support.

**‘BEST OR PROMISING’ PRACTICES**

	<b>SERVICE</b>	<b>PRACTICE</b>	<b>REMARKS</b>
1.	DoD, wide	Sexual Assault Response Coordinator’s (SARC), Victim Advocates (VA), and Uniformed Victim Advocates	Result from DoD 2004 Taskforce on care of victims. Aim of program is to reduce re-victimisation. Minimum 40 hour training package.
2.	DoD wide	SARC/VA Annual Professional Development	10 hour annual training – internal and external competency based training.
3.	DoD wide	First Responder education	SARC is responsible for the delivery of training to all first responders
4.	DoD wide	Restricted and Unrestricted reporting Option	Provides victim choices. Allows commands to implement environmental risk reduction programs/practices even if there is a restricted report.
5.	RAN (HMAS CERBERUS)	Sexual Offence Support Persons (SOSP) Network	Multi-agency victim support
6.	RAN	Psychological screening for SOSP personnel	Ensures a ‘suitable’ advocate & establishes a mental health ‘baseline’ for SOSP.
7.	ADF	A mandatory counselling session for victim	Can be with Defence psychologist, chaplain, social worker, doctor or taken to a civilian rape crisis centre.
8.	CFNIS	Specially trained sexual assault investigators	The practice is to have the amount of trained investigators in the region proportional to case load.
9.	MoD wide	Management of Sex Offenders	As per guidelines of the multi-agency public protection agency (MAPPA).

10.	USN	Mentoring program for Victim Advocates / Victim Advocate Panel	Senior Victim Advocates mentor newly trained Victim Advocates.
11.	CFNIS	Collaborative approach with all agencies involved in a sexual assault.	A civilian support staff member within a detachment who provides victim services. This advocate trains with local victim services offices.
12.	CFNIS	Training	Minimum requirement of 50% of the active investigators in a detachment is sexual assault investigator qualified. Training is conducted with external policing agencies.
13.	NCIS & USAF	Employment of experienced civilian sexual assault investigators.	
14.	CF/DND & DoD wide	Respondents 'needs and risk' assessment.	Respondents once charged with domestic/sexual abuse by a civilian or military police CO's must refer for a needs and risk assessment. Medical and employment limitations only referred back to command.
15.	MoD & UK Forces	Needs and Risk Assessment	SCART
16.	MFRC (CF/DND)	Prevention Support and Intervention (PSI) Team	Social Workers who work with provincial agencies for the military community on prevention, support and intervention issues.
17.	MFRC	Sexual Assault Response Team (SART)	MFRC Social Workers who can be called out by policing agencies and hospital staff if a military member is sexually assaulted.
18.	MFRC	Violence Against Women in Relationships (Provincial Agency) Community engagement meetings to address issues.	Works around all the family violence issues. If SA was part of the domestic violence then it would be discussed.
19.	USAF	Training Package for Sexual Assault Response Coordinators (Defence civilian and Military)	178 SARC positions supported across 102 locations

20.	DoD wide	Sexual Assault Forensic Examinations (SAFE)	Can be conducted with Restricted (in most US states) and Unrestricted reporting and for 'Restricted' reports evidence will be held for a year. Victim will then be contacted before evidence is disposed of.
21.	USAF, USN, USMC	Bystander Intervention Programs	(Katz, Berkowitz, Stern and others)
22.	USNA	Sexual Harassment and Assault Prevention Education (Peer Educators)	Four year tiered program throughout the member's time in the Academy.
23.	DEOMI	Equal Opportunity Advisers Training	(10 week program to develop cultural change agents)
24.	DoD	Sexual Assault Prevention & Response (SAPR) Strategic Plan 2010-2015	<a href="http://www.sapr.mil">www.sapr.mil</a>
25.	DoD wide	Restricted and Unrestricted Options for reporting and the Victim Preference Statement	Provides choice for member – either way enables individual to access medical and support services.
26.	DoD wide	Policy	Consistent across services
27.	DoD wide	No contact order	A military intervention order
28.	NJEP	The “Undetected Rapist” and A Response to “The Undetected Rapist”	Resource
29.	DoD wide	Victim Advocates compact reference guides	Resource – Individually tailored to each service
30.	USAF	Targeting Sexual Assault – Air Force campaign plan for prevention and response	Resource
31.	USN	SAPR Commanders Tool Kit	Resource
32.	USMC	Choices – Sexual Assault Prevention and Response	Resource
33.	DoD wide	Victim Advocate Training Simulation Male/Female victim	Resource
34.	NJEP	Presenting Medical Evidence in an Adult Rape Trial	Education Resource
35.	NJEP	Understanding Sexual Violence – the judge's role in Stranger and Non-stranger Rape and Sexual Assault Cases	Education Resource
36.	Catharsis Productions	'Sex Signals'	<a href="http://www.catharsisproductions.com">www.catharsisproductions.com</a> <a href="http://www.army.mil">www.army.mil</a>

37.	DEOMI	Organisational Climate Surveys	<ol style="list-style-type: none"> <li>1. Climate assessment instrument Conducted within 90days for CO's taking up command positions</li> <li>2. Military Equal Opportunity Climate Survey</li> <li>3. DEOMI Diversity Management climate survey</li> </ol>
38.	USAF	Sexual Assault Prevention & Risk Reduction Symposium	
39.	DoN and US Army	Sexual Assault Summits	Engages and Professional Development for SARC's, Leadership, First Responders
40.	DMDC	Incident Studies for Military Academies	Tasked by Congress every 2 years
41.	USNA	SARC/SAPR Induction Briefs	Conducted monthly (2hour)
42.	RN	Sexual Offence Investigator Trained (SOIT) Officer's (policy is to train SOIT iaw Home Office Police)	SOIT is in charge of the situation - Primary role for victim care. Signposts victim to early intervention programs and facilitates crisis care. Stays with victim all the way through the process including to court. Takes victim statement and interfaces between victim and lead investigator.
43.	USN	SARC's Command Briefs	Mandated briefs are conducted within 90 days of taking up command.
44.	Veteran Affairs	Military Sexual Trauma (MST)	17 Veteran Affairs Medical Centres across the US specifically treating & supporting MST
45.	USN	SAPR Structure for fleet support	Victim Advocates (VA), Point of Contacts (POC), Command Liaison Officer's (CLO), Data Collection Co-ordinator (DCC) & Sexual Assault Response Co-ordinator (SARC)
46.	CFNIS	Fulltime secondments with RCMP crime investigation / homicide.	Seconded to other agencies.
47.	DoD	<a href="http://www.MyDuty.mil">www.MyDuty.mil</a>	Resource
48.	NCIS	Crime Reduction Program	Education briefs on Sexual

			Assault & Domestic Violence
49.	ODU	Men's committee	Men's issues, vocational and personal
50.	ODU	Women's Resource Centre	facilitates services
51.	ODU	"We speak out" Task Force	Students looking at how to improve policy, protocols
52.	ODU	Empowerment Network (Peer education – behaviours need to be challenged by peers)	Conducted in the 'Red Zone' – 6/12 weeks of transition, raises awareness of 'red flags' includes role play decisions/bystander intervention
53.	ODU	'Escort Service'	Provides an escort after dusk across campus.
54.	DoD wide	Victim Advocate (VA)	One case management/support at a time
55.	DoD wide	Supervisor release VA for collateral duty.	Documented agreement by Supervisors to release the VA for the role as a priority.
56.	USN	Sexual Assault Litigation Course	Naval Justice School
57.	USN	Defence Counsel – more senior lieutenants	
58.	DoD wide	UCMJ article 120	constantly evolving
59.	USN	General Military Training	Live training – face to face rather than computer based training
60.	USN	OPNAV instruction	Registered Sex Offender Tracking
61.	USN	Members wishes for outcome will be shared with the convening authority	
62.	USN	SA Program Co-ord at Naval Medical Centre	1. Delivers ER / Nurse and Doctor training 2. Inducts all staff into hospital on SA response 3. Screens medical personnel who volunteer for SA VA training.
63.	USN	Sexual Assault Regional Team (SART)	Regional network discusses policy, processes and trends.
64.	USN	Sexual Assault Committee (SAC)	Navy policy and process discussion
65.	USN	Sexual Assault Case Management Group (SACMG) (Future focused).	Case Management & disclosure of cases. Central to Command's control of the issue. Victim driven – what services are needed, what went well, what fell

				through the cracks.
66.	UK	Sexual Assault Referral Centre (SARC) Board		Military and civilian Stakeholders meet 2/3 monthly
67.	MoD	Armed Forces Act 2006		Brings Services into line with what happens in civilian environment.
68.	MoD	National Intelligence Model – Crime Reduction		
69.	RAF	SSAFA		Charity organisation contracted to RAF provides ‘signposting’ for respondent and victim.
70.	RAF	SIB Facilitates Victim Personal Statement		
71.	MoD	Achieving Best Evidence Interviews		‘Special measures’ for vulnerable victims and sexual assault victims (video, anonymity, screen etc)
72.	MoD	Purchases police training from outside of the organisation.		ACPO approved training.
73.	Home Office – UK, MoD wide	Family Liaison Officers (FLO)		Investigator and Police officer. All rapes and deaths in the UK have FLO who interfaces between the victim and the lead investigator. FLO supports the investigation. Home Office trained and are victim focused.
74.	Home Office – UK, MoD wide	Visiting Officers		Overlaps with FLO role and Supports the family.
75.	RAF	Chaplaincy recognition and referral course		
76.	RN	Chaplaincy – Care of Trainees course		2 weeks soft skills training (includes bereavement, depression, suicide awareness)
77.	RN	Multiagency Employment Meeting (MAEM)		Guidelines for employability of sex offenders (Stakeholders involved as appropriate)
78.	RN	Multiagency SO Management Meeting		Risk assessment and confirms action plan to manage sex offender
79.	MoD	Policy		Sex Offender Management
80.	SPCB	Management of Sex Offenders		Manages dynamic risk assessment, flags those waiting

			conviction.
81.	Home Office & MoD wide	Multi agency Public Protection Arrangements (MAPPA)	Statutory arrangements for managing sexual and violent offenders who have received over 12 months imprisonment (includes military detention)
82.	Home Office	Violent & Sex Offender Register (ViSOR)	Information exchange between government agencies on sexual and violent offenders
83.	RN	SOIT delivers awareness training to all Flotillas	Educating Royal Naval Police
84.	RN	Drug and Alcohol education with sexual assault education	Delivered by the SOIT
85.	RN	SOIT Detached to Crystal Unit	On completion of SOIT training member attached to Crystal Unit (Hampshire Sexual Offence Investigative Unit) for 3 months consolidation
86.	RN	EU Model of multiagency support	Collaboration with Treetops (crisis intervention unit) and Crystal Unit to train RN police
87.	RN	Forensic Brief to all RNP's prior to deployment.	Includes Crime scene preservation and the EEK (Early evidence kits) issued.
88.	RN	Tabletops briefs prior to deployment	Includes strategy, welfare, and chaperone.